

AUG 11 2005

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 8-13 will be pending. No new matter has been added.

§ 102 Rejection of Claims 8-10 and 13

In Section 3 of the Office Action, claims 8-10 and 13 stand rejected under 35 U.S.C. §102(e) as being anticipated by Matsuzaki *et al.* (U.S. Patent 6,289,314; hereinafter referred to as "Matsuzaki"). This rejection is respectfully traversed below.

In the Background section of the Specification, it was disclosed that "[i]f a user possesses two or more information processing apparatuses, he/she must purchase content and settle its usage charge for each information processing apparatus, which causes a problem ..."

Specification, page 1, lines 19-21.

To solve the above-described problem, embodiments of the present invention provide systems and methods for processing media contents to enable the flow of the media contents from a content provider directly to at least one information processing apparatus(es), which processes accounting information. For example, the structure of an information processing system of claim 8, as presented herein, includes:

"at least one information processing apparatus for processing accounting information;

a control apparatus configured to enable the flow of said media contents from said content provider directly to said at least one information processing apparatus; and

a master information processing apparatus in communication with said at

least one information processing apparatus and said control apparatus, said master information processing apparatus including:

a first transmitter to transmit appropriate proxy account settlement information to said at least one information processing apparatus;

a first receiver to receive said accounting information from said at least one information processing apparatus sent in response to said proxy account settlement information, said accounting information related to payment for said media contents, said media contents received directly by said at least one information processing apparatus from said content provider, said first receiver generating payment information when said accounting information is processed;

a second transmitter to transmit said payment information to said control apparatus; and

a second receiver to receive registration conditions from said control apparatus, said registration conditions prepared in response to receiving said payment information from the master information processing apparatus that settles payment for media contents received directly by said at least one information processing apparatus.”

(emphasis added)

Therefore, the information processing system of claim 8 enables the flow of the media contents from the content provider directly to at least one information processing apparatus, which processes accounting information, once the payment for the media contents has been settled with the control apparatus through the master information processing apparatus.

Matsuzaki is cited for disclosing “at least one information processing apparatus, which processes accounting information (fig.2, ref. num. 3 and col. 16, lines 3-21),” and for disclosing “[a] control apparatus configured to enable the flow of said media contents from said content provider directly to said at least one information processing apparatus (fig. 2, ref. num. 2 and col. 14, lines 35-38).” *May 17, 2005 Office Action (hereinafter referred to as “Office Action”), page 2 (emphasis added).*

Claim 8 requires that the “at least one information processing apparatus” process accounting information. Terminal 3 is cited for performing processing of accounting information that includes a coefficient of charge. *Office Action*, page 3 (citing fig. 2, ref. num. 3). Yet the coefficient of charge is calculated and stored in server 2 within portions 25 and 252, not within terminal 3. *Matsuzaki*, col. 15, lines 38-41; figs. 2 and 3. The coefficient of charge is output to the second charge managing portion 223 of the server 2 and later processed in server 2, not terminal 3. *Matsuzaki*, col. 18, lines 8-10 and lines 14-16; col. 20, lines 3-7. Further, the portion of Matsuzaki cited for disclosing processing of accounting information (fig. 2, ref. num. 3 and col. 16, lines 3-21) only discusses processes performed by sections 255, 256, and 257 of server 2, and does not discuss the processing of accounting information or coefficient information by the terminal 3. Therefore, terminal 3 of Matsukazi does not disclose or teach “at least one processing apparatus processing accounting information,” as provided in claim 8.

Even if one were to argue that server 2 of Matsuzaki teaches or discloses “at least one apparatus processing accounting information,” server 2 is already cited in the Office Action for teaching “the master information processing apparatus” limitation of claim 8. *Office Action*, page 3. Claim 8 requires that the master . . . apparatus receive “said accounting information from said at least one processing apparatus” and thus server 2 cannot serve as both the “at least one processing apparatus” and the “master information processing apparatus.” Therefore, Matsuzaki fails to teach or disclose the “at least one information processing apparatus for processing accounting information” and “master information processing apparatus” limitations of claim 8.

Further, in Matsuzaki the server 2 (see fig. 1 of Matsuzaki) receives media contents (equivalent to “pay information” in Matsuzaki) and distributes the media contents to each

terminal 3. “The server 2 receives the pay information transmitted from the transmitting stations TS and distributes the pay information to each terminal 3. The server 2 also manages use situations of the pay information at each terminal 3 based on a request from each terminal 3, and [the server] calculates a charge for using the pay information at each terminal 3 from the use situations.” *Matsuzaki, column 13, lines 23-29*. Therefore, in Matsuzaki, media contents are directed from the transmitting station TS to the server 2 and then to the terminal 3A (see Figure 2). Therefore, even if Matsuzaki were to teach an information processing apparatus (terminal 3A in Matsuzaki) receiving media contents (pay information in Matsuzaki) indirectly (through the server 2) from a content provider (the TS), this indirect communication arrangement teaches specifically against a “control apparatus configured to enable the flow of said media contents from said content provider directly to said at least one information processing apparatus,” as described in claim 8.

Based on the foregoing discussion, it is maintained that Matsuzaki fails to teach or suggest all the limitations recited in claim 8. Therefore, claim 8 should be allowable over Matsuzaki. Since claims 9-10 depend from claim 8, claims 9-10 should also be allowable over Matsuzaki. Further, since method claim 13 closely parallels, and includes substantially similar limitations as recited in, system claim 8, claim 13 should also be allowable over Matsuzaki.

Accordingly, it is submitted that the rejection of claims 8-10 and 13 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 11 and 12

In Section 4 of the Office Action, claims 11 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Matsuzaki as applied to claim 8 above.

It is stated that “it would have been obvious to use a LAN for communication of the proxy account settlement information . . . and a WAN for communication of the accounting information to the control apparatus . . .” in conjunction with the disclosure of Matsuzaki to render obvious claims 11 and 12. *Office Action, page 6.*

Yet Claims 11 and 12 depend from claim 8 and, thus, include all the limitations of claim 8. Based on the foregoing discussion regarding Matsuzaki with respect to claim 8, it is maintained that claims 11 and 12 should be allowable over Matsuzaki.

Accordingly, it is submitted that the rejection of claims 11 and 12 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 8-13 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes

were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

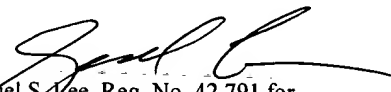
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Samuel S. Lee, Reg. No. 42,791 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800